



Department of Energy

Richland Field Office

P.O. Box 550

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JAN 13 1994

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Addressees

POTENTIAL NATURAL RESOURCE TRUSTEE MEETINGS

Enclosed with this letter is a copy of the draft Record of Discussion for the meeting held on November 19, 1993. Please review the Record of Discussion and provide comments to Ms. Kathleen Leonard by January 30, 1994. Comments will be incorporated and distributed by February 10, 1994.

At the November 19, 1993, meeting, two potential future meetings were discussed: an information exchange workshop proposed for January 12, 1994, and a Trustees meeting to be held in February 1994. The U.S. Department of Energy Richland Operations Office (RL) has not been able to arrange the proposed information workshop for January 1994, and would like to solicit comments from the potential Trustees regarding whether such a workshop may be more useful if it could be arranged in conjunction with the Trustees meeting or on some other date.

The next meeting of the potential Trustees is scheduled for Thursday, February 17, 1994, at the Shilo Inn-Rivershore in Richland, Washington. The date previously discussed conflicted with a National Oceanographic and Atmospheric Administration Natural Resource Damage Assessment Workshop; information attached. Please provide proposed agenda items for the February meeting to Ms. Kathleen Leonard by January 21, 1994. If you have any questions or comments, please contact Ms. Leonard of Westinghouse Hanford Company on (509) 376-7065 or Mr. Robert Holt of my staff on (509) 376-6340.

Sincerely,

James D. Bauer
James D. Bauer, Program Manager
Office of Environmental Assurance,
Permits, and Policy

EAP:RGH

Enclosure

cc w/encl:
J. J. Bascietto, EH-231
G. W. Jackson, WHC
K. M. Leonard, WHC
S. L. Friant, PNL
J. H. Dunkirk, WHC

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DRAFT RECORD OF DISCUSSION
HANFORD NATURAL RESOURCE TRUSTEE MEETING
Cavanaugh's at Columbia Center
November 19, 1993

Attendees:

Jim Bauer, U.S. Department of Energy - Richland Operations Office (DOE)
Mike Bauer, Yakima Indian Nation (YIN)
Kate Benkert, U.S. Fish and Wildlife Service (USFWS)
Charlie Brandt, Pacific Northwest Laboratory (PNL)
Bob Carosino, U.S. Department of Energy - Richland Operations Office (DOE)
Alan Childs, Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Kevin Clarke, U.S. Department of Energy - Richland Operations Office (DOE)
Dave Conrad, Nez Perce Tribe
Bob Cook, Yakima Indian Nation (YIN)
Steve Cross, Washington Department of Ecology
Christopher Burford, Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Jean Dunkirk, Westinghouse Hanford Company (WHC)
Dirk Dunning, State of Oregon Department of Energy
Tom Ferns, Westinghouse Hanford Company (WHC)
Alden Foote, U.S. Army Corps of Engineers - DOE (USACE)
Larry Gadbois, U.S. Environmental Protection Agency (EPA)
Tom Gilmore, Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Stuart Harris, Nez Perce - Environmental Restoration & Waste Mgmt. (ERWM)
Bob Holt, U.S. Department of Energy - Richland Operations Office (DOE)
Joel Jakobosky, Bureau of Land Management (BLM)
Dave Kaumheimer, U.S. Fish and Wildlife Service (USFWS)
Kathy Leonard, Westinghouse Hanford Company (WHC)
Tara Lucas, Pacific Northwest Laboratory (PNL)
Donna Powaukee, Nez Perce Tribe
Cynthia Sarthou, Heart of America Northwest/Public
Preston Sleeper, U.S. Department of Interior (DOI)
Alex Teimouri, U.S. Department of Energy - Richland Operations Office (DOE)
Randall Tulee, Yakima Indian Nation (YIN)
Linda Tunnell, Westinghouse Hanford Company (WHC)
Steve Weiss, Westinghouse Hanford Company (WHC)
J.R. Wilkinson, Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Patrick Willison, U.S. Department of Energy - Richland Operations Office (DOE/OCC)

WELCOME AND INTRODUCTION

Mr. James Bauer, U.S. Department of Energy - Richland Operations Office (RL) welcomed participants and observers to the third meeting of the potential Natural Resource Damage Assessment (NRDA) - trustees meeting.

Ms. Kathy Leonard reviewed the agenda and meeting record of discussion from the last meeting. Mr. Preston Sleeper, DOI, indicated some changes needed to be made to the record of discussion regarding trustee agencies responsibilities. Mr. Sleeper indicated that he would forward the changes to Ms. Leonard.

Mr. Tony Lorenz, DOE, presented an overview of the Federal Budget Process.

Mr. Steve Friant, PNL, was unable to be present at the meeting. Mr. Charlie Brandt (PNL) presented an overview for Mr. Steve Friant of the Biological Natural Resources present at the Hanford Site. Requests were made for a copy of this presentation for distribution to the trustees.

Historical photographs taken by the CIA over a period of years are being given away. PNL is trying to obtain photographs of the Hanford Site in order to provide a historical view of changes which have taken place over time.

A Hanford Natural Resource Management Plan was briefly discussed. The Plan is still in the early, informal stages, but as it develops, NRDA council input on natural resource values could be an important source during the development of the final Plan.

The role of a facilitator was discussed. A subcommittee was formed to discuss plans for hiring a facilitator. Mr. Steve Cross agreed to take the lead on this task.

Participants discussed the process of becoming a formal Trustee Council. If a charter could be created containing the purpose of the group, then many trustees would be able to have something concrete to take to their constituents. Their constituents would then be able to make a determination whether to formally join the council. It was pointed out that working as a council would be more efficient than each group working independently, and would avoid the duplication of cost and effort. By acting as a council, the group could build a shared vision for the Hanford Site.

Having copies of other site's charters or management plans would give this group an idea of what is being done elsewhere. The group was especially interested in Rocky Flats two-tiered management plan. Copies of available documents will be requested by WHC.

Some reasons for creating a trustees working group were identified by the trustees present, including to:

- Provide input in the RI/FS process
- Avoid duplication of technical work
- Provide and promote a shared vision on sitewide natural resources
- Provide a mechanism for demonstrating consensus on a shared vision, but allow for individual perspectives to be expressed
- Collaborate in helping Hanford Site trustees fulfill their respective responsibilities
- Determine whether or not there have been natural resource injuries

Other items discussed regarding a formal trustee council:

- Keep a charter simple in order to avoid conflicts with values of individual trustees
- The governing group would need a technical group to provide specific guidance on technical issues and problems

- A trustee can withdraw from the council completely or from a specific activity if there is a conflict between council values and trustee (constituent) values and responsibilities

There are still concerns regarding DOE's dual role of potential responsible party (PRP) and trustee. A suggestion was made that EPA become the lead trustee, but Mr. Larry Gadbois indicated that EPA could not legally assume the role of trustee, but rather is present to provide technical assistance. It was generally agreed that the hiring of a facilitator may help mitigate DOE's PRP/trustee conflicts. Funding issues are being resolved.

Other items which were discussed:

- There are core issues being resolved yesterday, today, and tomorrow which will determine what the Site will look like in the next 30 years. It is critical that the trustees get involved immediately in order to be part of the determining process.
- Hanford should be managed as a whole rather than on an operable unit by operable unit basis.
- More data is needed regarding the identification of all natural resources found onsite in order to assist in the RI/FS process. If we are unaware of the scope of resources that need to be protected, how can those resources be protected. If the parallel paths are taken of natural resource protection in order to prevent further resource degradation, in conjunction with natural resource restoration, then further resource injury could be mitigated.
 - PNL is currently working on an ecological conceptual model with regard to riparian habitat on the river. There is also a proposal to have PNL do a conceptual model for the entire Site to provide an ecological model that will define the situation regarding natural resources onsite now.
 - A concern was raised regarding state v federal threatened and endangered species and how DOE is dealing with this issue. The response was that DOE has an aggressive NEPA policy, and threatened and endangered species are considered under NEPA. Additionally, threatened and endangered species are considered under the Endangered Species Act and Wildlife Coordination Act. DOE's best management policy is that federal candidate, and state sensitive and monitored species are managed as if they were a threatened or endangered species.
 - A concern was raised regarding road-kill counts. There is no formal procedure to consider road-kill count at this time onsite.
 - DOE is currently engaged in a project which restores sagebrush onsite.
 - Ms. Kate Benkert stated that the Geographic Information System was a tool used for natural resource assessment at Commencement Bay. It may be beneficial to lay contaminated areas of concern over some of the viewgraphs Mr. Brandt presented.

- Once the process of identifying current resources have been completed, a historical baseline model should be done with regard to identifying resources present on the pre-Hanford site.

NEXT STEPS

An information meeting will be held in January. Possible topics include:

- Where in the process are RODs
- Where in the process are RI/FS studies
- Presentation of status of environmental activities
- Where in the process is the North Slope/Ale remediation project
- Tri-Party Agreement panel discussion
- CERCLA/RCRA activity ongoing onsite
- 1100 Area questions--did ROD restore natural resources
- How are Damage Assessments handled on other sites
- Injury analysis at ERA level on operable units
- Restoration technology in arid sage environment

A general meeting was scheduled for February 10, 1994.

ACTION ITEMS

Steve Cross will lead a subcommittee on facilitator review. Other members of the panel include Dirk Dunning, Bob Cook, J.R. Wilkinson, Dave Conrad, Theresa Bergman, and Kathy Leonard. That meeting will be held in December.

Kathy Leonard will invite speakers for the January meeting.

Potential agenda items for February meeting:

- Charter
- How are other trustee groups proceeding
- Facilitator status

PNL will provide copies of Mr. Brandt's presentation.

Kathy Leonard will contact other trustee groups to get copies of charters, management plans, etc.